

Appln Serial No. 10/088,717
Amendment dated March 1, 2005

REMARKS

In response to the Office Action of April 8, 2005, the Listing of Claims has been corrected. Applicant repeats his argument presented previously.

Applicant appreciates the Office Action of October 22, 2004, and the Examiner's clear and concise remarks contained therein. The indication that claims 27 – 31 and 32 – 37 contain allowable subject matter is noted and appreciated. The Office Action has been carefully considered, and the sole independent claim, claim 17, has been amended to improve its clarity. The specification has been amended to correct the minor informalities noted by the Examiner in paragraphs [0038] and [0039].

Claims 17, 20, 21, 23, 24, 25, and 38 stand rejected under 35 U.S.C. 102 (b), as being fully anticipated by Crotts (US 4,815,158), while claims 26 and 32 have been rejected under 35 U.S.C 103 (a) as reciting subject matter deemed obvious and therefore unpatentable in view of Crotts. Further, claims 18, 19, and 22 stand rejected under 35 U.S.C. 10(a) as being unpatentable over Crotts in view of Zigerlig (US 5,884,356), while claim 22 has also been rejected under 35 U.S.C. 103(a) based in the combination of Crotts and Belanger et al (US 5,813,076). The foregoing rejections are respectfully traversed, and in any event are not believed to be applicable to the claims, as amended. Significant distinctions exist between the apparatus disclosed in Crotts and that claimed in the present application, and these distinctions cannot be ignored in assessing the patentability of Applicant's invention. As will be discussed below, none of the art of record, even if combined, shows or suggests the invention claimed by Applicant.

In order to clarify that which Applicant regards as his invention, independent claim 17 has been amended to more clearly point out that the strip wash elements and the bristle elements are arranged in at least two groups of each that are transversely spaced and arranged in an alternating manner such that a group of bristle elements is next to a group of strip wash elements. None of the art of record, including Crotts shows or suggests these features. Crotts discloses, in Figure 3 thereof, two paddles (9)

AppIn Serial No. 10/088,717
Amendment dated March 1, 2005

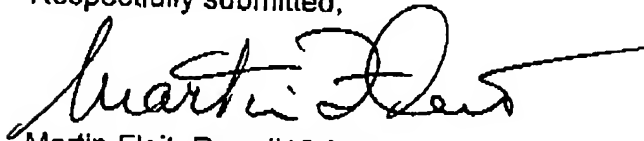
which are transversely spaced, with only a single set of bristles positioned therebetween. Moreover, the paddles in Crofts cannot fairly be considered the equivalent of Applicant's claimed strip wash elements, since as disclosed in Crofts, "The paddle 7 serves the purpose of separating the bristles 5 from each other and urging the bristles away from any objects on a vehicle before they become entangled. The paddles 7 also effectively extends operating radius of the brush 2 by adding rigidity to the bristles 5." Thus, the Crofts paddles do not function as the "strip wash elements" claimed by Applicant, which themselves function to contact and clean the surface of the vehicle. Crofts discloses at most, a pair of spaced apart paddles at opposite ends of a brush which function to prevent the bristles from becoming entangled in projections from the vehicle such as rear view mirrors. Crofts fails to disclose alternating groups of bristles and strip wash elements, both of which perform cleaning of the vehicle surface, using differing techniques. Accordingly, it is believed that claim 17 recites patentable subject matter and should therefore be allowed. Claims 18, 19, 20, 21, 22, 23, 24, 25, 26, 32 and 38 recite other features that are not fairly shown in Crofts or the other references of record, and depend from an allowable claim, consequently these additional claims are also believed to be allowable.

Reconsideration of the rejections is respectfully requested in view of the instant amendment and foregoing comments. If the Examiner believes that direct communication with Applicant's attorneys would advance the prosecution of this case, he is invited to telephone the undersigned. Applicant believes that this case is in condition for allowance and such action is courteously solicited.

♦ Appln Serial No. 10/088,717
Amendment dated March 1, 2005

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time, time sufficient, to effect a timely response, and shortages in this or other fees, be charged, or any overpayment in fees be credited, to the Deposit Account of the undersigned, Account No. 500601 (Docket no. 740-X02-011).

Respectfully submitted,



Martin Fleit, Reg. #16,900

FLEIT, KAIN, GIBBONS, GUTMAN, BONGINI & BIANCO
601 Brickell Key Drive Suite 404
Miami, Florida 33131
Tel: 305-416-4490; Fax: 305-416-4489
Email: MFleit@FocusOnIP.com